

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Tether and Bitfinex Crypto Asset
Litigation

No.: 1:19-cv-09236-KPF-SN

**DEFENDANT PHILIP G. POTTER'S NOTICE OF MOTION TO DISMISS
PLAINTIFFS' CONSOLIDATED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of this Motion, Defendant Philip G. Potter, by his attorney, Willkie Farr & Gallagher LLP, respectfully moves this Court, before the Honorable Katherine Polk Failla, United States District Judge, United States District Court, Southern District of New York, at the Thurgood Marshall United States Courthouse, 40 Foley Square, Courtroom 618, City of New York, at a date and time to be set by the Court, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the Consolidated Class Action Complaint with prejudice, for Plaintiffs' failure to state a claim upon which relief can be granted.

Dated: September 3, 2020
New York, New York

WILLKIE FARR & GALLAGHER LLP

/ s / Charles D. Cording

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